IN THE HIGH COURTOF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5288 OF 2004
IN
CRIMINAL APPEAL NO.1455 OF 2004

Kuldeep Sukhdeo More ..Applicant

Vs.

The State of Maharashtra ..Respondent

Mr.S.V.Marwadi for Applicant

Mr.D.P.Adsule, A.P.P.for the State

CORAM: V.M. KANADE,J.
DATED: 16TH DECEMBER, 2004

P.C.

1. Heard learned Counsel appearing on behalf of the applicant and the learned A.P.P. for the State. The applicant is convicted by the trial Court for having committed offence under Sections 363, 366A and 376(1) of Indian Penal Code and sentenced to suffer R.I. for 5 years and 7 years respectively. The prosecution case is that the accused kidnapped the prosecutrix, a minor girl below 16 years of age and had sexual intercourse for about more than a month.

2. The applicant was on bail during the trial. The evidence on record suggests that the prosecutrix had eloped with the accused. There is no sufficient evidence on record to indicate that the girl was below 16 years of age. Under the circumstances the

applicant be released on bail on the same terms and conditions as imposed by the trial Court. The applicant shall execute fresh Bond.

. Parties to act on the authenticated copy of this order.

JUDGE